

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**TEAMSTERS LOCAL UNION NO. 206
affiliated with the INTERNATIONAL
BROTHERHOOD OF TEAMSTERS**

and

Case 36-CB-002823

RICHARD O. HARMON

ORDER DENYING MOTIONS¹

The Acting General Counsel's Motion for Default Judgment is denied. The Acting General Counsel has failed to establish that there are no genuine issues of material fact and that it is entitled to judgment as a matter of law. This denial is without prejudice to raising these issues before an Administrative Law Judge or on any exceptions that may be filed to a judge's decision, if appropriate.

In addition, the Charging Party's Motion to Disqualify Members Block, Griffin and Flynn from ruling on this case is also denied, for the reasons stated in *Center for Social Change, Inc.*, 358 NLRB No. 24 (2012).²

Accordingly, this case is remanded to the Region for further appropriate action.

Dated, Washington, D.C., July 12, 2012.

MARK GASTON PEARCE,	CHAIRMAN
RICHARD F. GRIFFIN, Jr.,	MEMBER
SHARON BLOCK,	MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² Member Flynn is recused and took no part in the consideration of this case.